

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ZACHARY CURRY,

Plaintiff,

v.

Case No. 8:11-cv-1904-T-33MAP

BANK OF AMERICA, N.A.,

Defendant.

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ORDER

This matter is before the Court pursuant to Defendant's Motion to Stay Discovery Pending Ruling on Defendant's Motion to Dismiss (Doc. # 12), which was filed on October 27, 2011. For the reasons that follow, the Motion to Stay Discovery is denied.

Discussion

On August 22, 2011, Curry initiated this discrimination and retaliation action against his former employer, Bank of America. (Doc. # 1). Bank of America filed a Motion to Dismiss (Doc. # 4) on September 14, 2011. The Motion to Dismiss became ripe on October 14, 2011. (Doc. # 9). At this juncture, Bank of America requests an Order staying discovery in this case until the Court enters its ruling on the pending Motion to Dismiss.

The Court "must take an active role in managing cases on [its] docket." Chudasama v. Mazda Motor Corp., 123 F.3d 1353,

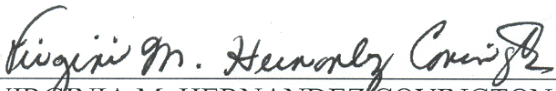
1366 (11th Cir. 1997). A stay of all discovery pending the Court's ruling on the Motion to Dismiss would not advance this case toward its final resolution. As stated in Chudasama, 123 F.3d at 1366, this Court enjoys broad discretion "in deciding how best to manage the cases before [it]" and, under the circumstances of this case, the Court determines that it is appropriate to deny the Motion to Stay Discovery.

Accordingly, it is hereby

ORDERED, ADJUDGED and DECREED:

Defendant's Motion to Stay Discovery Pending Ruling on Defendant's Motion to Dismiss (Doc. # 12) is **DENIED**.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 28th day of October, 2011.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies to: All Counsel of Record